

(PCT Article 36 and Rule 70)

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/013338

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-9 as originally filed/furnished
- pages* 1a received by this Authority on 01.08.2005 with letter of 01.08.2005
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 5 (in part), 6-14 as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1-4, 5 (in part) received by this Authority on 07.12.2005 with letter of 07.12.2005
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/3-3/3 as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1.	Statement		
	Novelty (N)	Claims <u>1-14</u>	YES
		Claims _____	NO
	Inventive step (IS)	Claims <u>1-14</u>	YES
		Claims _____	NO
	Industrial applicability (IA)	Claims <u>1-14</u>	YES
		Claims _____	NO
2.	Citations and explanations (Rule 70.7)		
	1. Reference is made to the following documents:		
	D1: US-A-5 522 466 (HARADA ET AL), 4 June 1996 (1996-06-04)		
	D2: GB-A-2 171 045 (HILTI AKTIENGESELLSCHAFT), 20 August 1986 (1986-08-20)		
	2. Document D1, which is considered to be the closest prior art, discloses the following (the references in parentheses are to D1):		
	Breaker and/or hammer drill, with		
	- a hammer casing (1) in which at least part of a drive mechanism and a percussion mechanism are fitted,		
	- a grip section (2) which can move in a working direction relative to the hammer casing (1) and on which at least one handle (2) is provided,		
	- a guide system (13, 14, 15) for linear (implicit from the symmetrical design) guidance of the grip section (2) relative to the hammer casing (1),		

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p>the guide system (13, 14, 15) having a roller system (4) between the hammer casing (1) and the grip section (2) (see figure 2).</p> <p>The subject matter of claim 1 differs from the hammer drill known from D1 in that the roller system allows good relative movement between the grip section and the hammer casing.</p> <p>The subject matter of claim 1 is therefore novel (PCT Article 33(2)).</p> <p>The problem addressed by the present invention can thus be seen as that of ensuring that the level of vibrations that can be transmitted from the hammer casing to the grip section is small.</p> <p>No solution to this problem is either known from or suggested by the prior art, and therefore the solution proposed in claim 11 of the application involves an inventive step (PCT Article 33(3)).</p> <p>3. Claims 2 to 14 are dependent on claim 1 and therefore also meet the PCT requirements in respect of novelty and inventive step.</p>